

# EXHIBIT 20

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN FRANCISCO

COMMUNITIES FOR A BETTER	)	CASE NO.
ENVIRONMENT, A CALIFORNIA	)	997013
NON-PROFIT CORPORATION, ON	)	
BEHALF OF THE GENERAL PUBLIC,	)	
	)	
PLAINTIFF,	)	
	)	
VS.	)	
	)	
UNOCAL CORPORATION, ET AL.,	)	
	)	
DEFENDANTS.	)	

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DEPOSITION OF MEENA NAINAN

FRIDAY, AUGUST 11, 2000

FILE NO. 000811TRB  
REPORTED BY TERRY R. BANKEY, C.S.R. NO. 7442



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09:59 AM A No, I do not.

2 Q When did you first hear about the gasoline  
3 additive MTBE?

4 A While I was a field remediation engineer in  
10:00 AM New Jersey.

6 Q And that was in between '90 and '92?

7 A No, between '92 and --

8 Q '95?

9 A '95.

10 Q Okay.

11 A Yeah.

12 Q Sorry.

13 Do you remember what year that was?

14 A '92 or beginning of '93.

10:00 AM Q What was the context of you first hearing  
16 about MTBE?

17 A MTBE was a constituent that was tested for  
18 at our facilities.

19 Q In New Jersey?

10:01 AM A In New Jersey.

21 Q And that was because the state required that  
22 you test for MTBE?

23 A Yeah, local regulations required it.

24 Q Do you know when New Jersey first began  
10:01 AM requiring the testing for MTBE?

10:01 AM

A No, I don't.

2

Q But it had been required as of the day you began working there, as far as you know?

4

A Yes.

10:01 AM

6

Q When you say required testing of it, what specifically did that mean? Did that mean testing for it at sites where there was currently being remediation going on?

7

8

9

10:01 AM

A Sites where we had investigations they would require us to test for MTBE.

11

12

13

Q So state regulations did not require that there be testing for MTBE at sites where there was no ongoing investigation?

14

10:02 AM

A To the best of my knowledge, that is the case.

16

17

18

Q At that time did Mobil nonetheless require testing at all sites for MTBE regardless of whether there was a known release?

19

10:02 AM

A We tested for MTBE at sites where we had a known release.

21

22

Q Does that mean they did not test at sites other than where there was a known release?

23

24

10:02 AM

A As far as I know, during the time period that I was a field engineer we tested for MTBE at sites where we had a known release.

10:02 AM Q Just those sites?

2 A Yes.

3 MS. EVANGELISTI: Okay. Let's take a break.

4 THE VIDEOGRAPHER: Going off the record at

10:02 AM 10:02 a.m.

6 (Recess taken.)

7 THE VIDEOGRAPHER: Going back on the record

8 at 10:13 a.m.

9 BY MS. EVANGELISTI:

10:13 AM Q Before the break we were talking about

11 testing for MTBE at sites in New Jersey.

12 A I would like to actually clarify a short  
13 point.

14 Q Sure.

10:13 AM A We were referring to them as known releases.

16 Q Yes.

17 A And we also did this at suspected releases.

18 Q Okay.

19 A Release sites.

10:13 AM Q As a general practice in New Jersey, Mobil  
21 tested for MTBE at those sites where there was either  
22 a known release or a suspected release?

23 A Yes.

24 Q Okay. While you were working in New Jersey,

10:13 AM did Mobil have any sort of policy with respect to

10:13 AM putting groundwater monitoring wells in at every  
2 service station that it owned in New Jersey?

3 MS. WEAVER: Objection. Lack of foundation,  
4 vague and ambiguous.

10:14 AM THE WITNESS: We installed wells at sites  
6 that we had suspected or known releases in New  
7 Jersey.

8 BY MS. EVANGELISTI:

9 Q Only those sites where there were known or  
10:14 AM suspected releases?

11 A To the best of my knowledge.

12 Q If there was a known or suspected release  
13 and MTBE was tested for in accordance with state  
14 regulations, after there was remediation that dealt  
10:14 AM with the contamination was MTBE continued to be  
16 tested for afterwards?

17 Do you understand my question?

18 A No, I'm sorry.

19 Q Okay. You said the state regulations  
10:14 AM required that MTBE be tested for at a station where  
21 there was a known release and that it was also tested  
22 if there was a suspected release.

23 Say that occurred and then there was  
24 remediation of the contamination.

10:15 AM A Okay.

10:15 AM Q After the end of the remediation process for  
2 that service station site, did they continue to test  
3 for MTBE at that site?

4 A Well, we would test as the regulators  
10:15 AM required, and in some cases we may test for MTBE and  
6 some we may have been relieved of that obligation.  
7 It depended on what the agency required from us.  
8 Until we received closure.

9 Q Tell me what closure means because I've  
10:15 AM heard that in a number of different depositions and  
11 in documents. What does closure mean, is your  
12 understanding?

13 A Closure in the eyes of the agency is at the  
14 time from which the -- and I'm going to use the word  
10:15 AM Mobil -- Mobil is no longer required to do any type  
16 of remediation or monitoring on the site and the case  
17 file is closed.

18 Q When I asked earlier whether Mobil tested  
19 for MTBE at those sites that were closed, as we've  
10:16 AM now defined it, you said under some situations the  
21 regulatory agencies did require continued testing and  
22 other times the regulatory agencies didn't.

23 My question is did Mobil ever endeavor to do  
24 more than what was required by the regulatory  
10:16 AM agencies?

10:16 AM MS. WEAVER: Objection. You've  
2 mischaracterized her prior testimony, and the  
3 question's vague and ambiguous.

4 You can answer it if you understand.

10:16 AM BY MS. EVANGELISTI:

6 Q And clarify any mischaracterization I've  
7 done because it was unintentional.

8 A Yeah. With regards to -- when you were  
9 talking about testing at sites after it was closed, I  
10:16 AM mean, we test sites until it was closed --

11 Q Right.

12 A And at that point the agency would grant us  
13 closure.

14 Q Right. And my question is at those sites  
10:16 AM where they had obtained closure, meaning, under my  
16 definition, remediation had occurred and the  
17 regulatory agencies no longer required any sort of  
18 testing, did Mobil ever endeavor to take it a step  
19 further and continue to test nonetheless?

10:17 AM A During my time in New Jersey that would have  
21 been on a site specific case, you know, and it  
22 depended upon the characteristics of the site.

23 To my knowledge, on the sites that I've  
24 worked on that was not the case.

10:17 AM Q In other words, they normally stopped



10:17 AM testing when they were no longer required to test?

2 A Yes, on the sites that I have worked on.

3 Q Okay. We've been talking now about your  
4 knowledge with respect to New Jersey and testing, and

10:17 AM my questions now are going to be focused on  
6 California.

7 Do you know when/if Mobil began a regular  
8 practice of testing for MTBE at sites, meaning  
9 service stations, in California?

10:17 AM A My recollection is they started after April  
11 of '96 on a routine basis.

12 Q Do you know why they began testing for MTBE  
13 on a routine basis after April of '96?

14 A We were issued a directive letter from the  
10:18 AM agency, the State Board.

16 Q I'm sorry, from what board?

17 A The State Water Resources Board.

18 Q State Water Resources Control Board?

19 A Yes.

10:18 AM Q And when you say on a routine basis, what  
21 does that mean?

22 A I believe that the letter required us to  
23 begin testing for MTBE at all the sites where we had  
24 known or suspected releases or groundwater monitoring  
10:19 AM wells and so we did it on a routine basis from that

10:19 AM point on.

2 Q You said known or suspected releases and  
3 groundwater monitoring wells. Do you mean at those  
4 sites where there were known or suspected releases  
10:19 AM that had groundwater monitoring wells or did you mean  
6 anyplace where there's a known or suspected release  
7 and anyplace separate that had a groundwater  
8 monitoring well?

9 A Sites that we had groundwater wells we could  
10:19 AM routinely and on a regular basis test for whatever  
11 constituents we wished for --

12 Q Right.

13 A -- because the wells are in place.

14 After April of '96, if we were doing any  
10:19 AM type of assessments, so this would be new groundwater  
16 wells or soil borings, at that time we started  
17 testing for MTBE.

18 Q I guess I'm still not clear. What I  
19 understood from what you said is that if there is a  
10:19 AM groundwater monitoring well that has been installed  
21 for whatever reason at a service station site --

22 A Uh-huh.

23 Q -- the capability for testing for MTBE is  
24 there because there's a well?

10:20 AM A Exactly.